

## **MINUTES**

### **MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION COMMITTEE ON NATURAL RESOURCES**

00:00:00

**Call to Order:** By **SEN. GARY L. PERRY**, on March 4, 2005 at 3:00 P.M., in Room 405 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. Glenn Roush, Chairman (D)  
Sen. Kelly Gebhardt (R)  
Sen. Dan Harrington (D)  
Sen. Greg Lind (D)  
Sen. Gary L. Perry (R)  
Sen. Bill Tash (R)  
Sen. Ken Toole (D)

**Members Excused:** Sen. Aubyn Curtiss (R)

**Members Absent:** None.

**Staff Present:** Peg Holwick, Committee Secretary  
Krista Lee Evans, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 312, 2/23/2005; HB 347,  
2/23/2005; HB 308, 2/23/2005; HJ 3,  
2/23/2005; HJ 4, 2/23/2005  
Executive Action: HB 308, HB 347, HB 312, HB 178, HB  
144, HJ 4

**HEARING ON HB 312**

00:00:24

**Opening Statement by Sponsor:**

REP. GEORGE GOLIE (D), HD 20, opened the hearing on HB 312, Expenditure of Smith River user fees for specific purposes.

**EXHIBIT**(nas48a01)

**Proponents' Testimony:**

00:03:03            John Wilson, Montana Trout Unlimited  
00:06:24            John Kowalski, PRO Outfitters  
00:07:03            Robert Throssell, Montana Wildlife  
00:07:36            Mike McGee, fly fishing business owner  
00:09:03            Derek Goldman, Montana Audubon and Montana  
                     Fisheries Association  
00:09:31            Doug Monger, Montana Fish Wildlife and Parks (FWP)

**EXHIBIT**(nas48a02)

**Opponents' Testimony:** None.

**Informational Testimony:** None.

00:10:35

**Questions from Committee Members and Responses:**

00:13:02

**Closing by Sponsor:**

**HEARING ON HB 347**

00:14:05

**Opening Statement by Sponsor:**

REP. GAIL GUTSCHE (D), HD 99, opened the hearing on HB 347, Extend time period property can be converted or diverted from open-space land.

**Proponents' Testimony:**

00:16:51            Mike Cadus, Mayor of the City of Missoula  
00:19:45            Alec Hanson, League of Cities

**Opponents' Testimony:** None.

Informational Testimony: None.

Questions from Committee Members and Responses: None.

00:20:44

Closing by Sponsor:

HEARING ON HB 308

00:21:49

Opening Statement by Sponsor:

REP. BRUCE MALCOLM (R), HD 61, opened the hearing on HB 308, Make permanent law on temporary changes in appropriation right.

[EXHIBIT](#)(nas48a03)

Proponents' Testimony:

00:28:15 Stan Bradshaw, Montana Trout Unlimited

[EXHIBIT](#)(nas48a04)

00:29:41 Sean Murphy, rancher

00:32:31 Ralph Fistead, on behalf of self

00:33:38 Gerald Mueller, Upper Clark River Basin Steering Committee

[EXHIBIT](#)(nas48a05)

00:38:09 John Ferguson, Montana Water Trust

00:38:48 Chris Corbin, Montana Water Trust

00:39:32 Brinna Randall, Montana Water Trust

00:40:03 John Blomquist, Attorney

00:41:21 Mike Murphy, Montana Water Resources Association

00:42:15 Bob Lane, Chief Legal Counsel for FWP

[EXHIBIT](#)(nas48a06)

00:44:18 Jack Stults, Department of Natural Resources (DNRC), Water Resources Division

00:46:40 Derek Goldman, Montana Audubon Society and Montana Fisheries Association

Opponents' Testimony: None.

Informational Testimony: None.

00:47:20

Questions from Committee Members and Responses:

00:54:04

Closing by Sponsor:

EXECUTIVE ACTION ON HB 308

00:55:52

Motion/Vote: SEN. TOOLE moved HB 308 . Motion carried unanimously by voice vote. SEN. TASH voted by Proxy.

EXECUTIVE ACTION ON HB 347

00:56:00

Motion/Vote: SEN. TOOLE moved that HB 347 BE CONCURRED IN. Motion carried unanimously by voice vote. SEN. TASH voted by Proxy.

EXECUTIVE ACTION ON HB 312

00:58:00

Motion/Vote: SEN. TOOLE moved that HB 312 BE CONCURRED IN. Motion carried unanimously by voice vote. SEN. TASH voted by Proxy.

EXECUTIVE ACTION ON HB 178

00:59:00

Motion/Vote: SEN. LIND moved that HB 178 BE CONCURRED IN. Motion carried unanimously by voice vote. SEN. TASH voted aye by Proxy.

EXECUTIVE ACTION ON HB 144

00:59:25

Motion/Vote: SEN. TOOLE moved that HB 144 BE CONCURRED IN. Motion carried unanimously by voice vote. SEN. TASH voted aye by Proxy.

01:01:17

Break.

01:06:00

Resume.

**HEARING ON HJ 4**

01:06:00

**Opening Statement by Sponsor:**

**REP. JIM PETERSON (R), HD 30**, opened the hearing on **HJ 4**, Urge management of water levels at Fort Peck.

**Proponents' Testimony:**

01:08:10            **Bob Lane, Chief Legal Counsel , FWP**

**EXHIBIT**(nas48a07)

01:11:49            **Gordon Morris, Montana Association of Counties**

**EXHIBIT**(nas48a08)

01:12:58            **Bob Gilbert, Walleyes Unlimited**

01:14:56            **Derek Goldman, Montana Audubon and Montana Chapter  
of American Fisheries Society**

**Opponents' Testimony:** None.

**Informational Testimony:** None.

01:15:56

**Questions from Committee Members and Responses:**

01:21:55

**Closing by Sponsor:**

**EXECUTIVE ACTION ON HJ 4**

01:34:35

**Motion/Vote:** SEN. TOOLE moved that HJ 4 BE CONCURRED IN. Motion carried unanimously by voice vote.

**ADJOURNMENT**

Adjournment: 4:40 P.M.

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SEN. GLENN ROUSH, Chairman

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PEG HOLWICK, Secretary

GR/ph

Additional Exhibits:

**EXHIBIT ([nas48aad0.TIF](#))**